IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.10113 of 1998
DATED 18-4-2007

BETWEEN
Adepu Nagendrababu

.. Petitioner

And

The Authority under Minimum Wages Act and
Assistant Commissioner of Labour,
Khammam.

.. Respondents

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.10113 of 1998

ORDER:

Aggrieved by the order of the 1st respondent in M.W.No.137 of 1995 dated 18.10.1997, the present writ petition is filed.

The petitioner herein and one G.Adinarayana, who were working under the 2nd respondent as rewinder and gate-keeper respectively filed an application before the Authority under the Minimum Wages Act – the 1st respondent herein contending that the 2nd respondent herein had not paid them minimum wages. The 1st respondent took note of the fact that, in the register maintained by

the 2nd respondent, the petitioner herein was shown as having been working from 1.3.1991 only. The 1st respondent held that Sri G.Adinarayana was not paid the minimum wages and directed the petitioner herein to pay Sri G.Adinarayana Rs.2,646/- for the period from 1.10.1993 to 31.3.1994 towards the difference of minimum wages with one time compensation for a total amounting to Rs.5,292/-. However, insofar as the petitioner herein is concerned, the authority dismissed the claim holding that since he had worked only for three months and had been paid minimum wages for that period of service, his claim for payment of minimum wages necessitated rejection.

Sri A.K.Jayaprakash Rao, learned counsel for the petitioner would vehemently contend that the 2nd respondent had not even issued an order of appointment to the petitioner and that the entries in the attendance register as produced before the minimum wages authority were not genuine.

The fact remains that these are all matters of evidence to be considered by the authority under the Act. It is not for this Court under Article 226 of the Constitution of India to sit in appeal over findings of fact recorded by the authority under the Minimum Wages Act or to reappreciate the evidence on record unless the findings arrived at by the authority are based on no evidence or are perverse. Since the 1st respondent authority has held that the petitioner herein had worked only for three months and was paid minimum wages for that period of service, which finding of fact is based on evidence on record, the order impugned in this writ petition does not necessitate interference. The writ petition fails and is accordingly dismissed.

No costs.

RAMESH RANGANATHAN,J

Dt: 18.4.2007
msv.